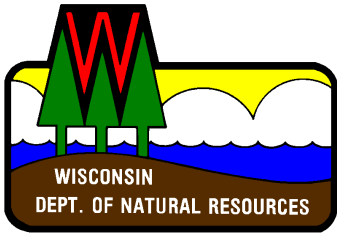


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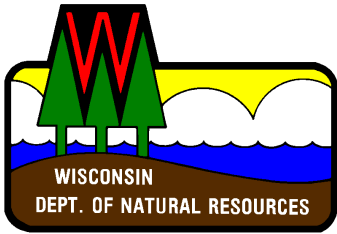
# **Mercury Rules Review Clean Air Act Task Force June 5, 2003**



## *Key Changes in the Revised Rules*

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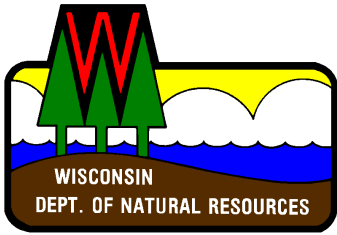
- Reduction Requirements
- Schedule
- Baseline Emission Determination
- Trading Provisions
- Compliance Determination
- Short-term Reliability Concerns
- Control of New Mercury Emissions



## *Overview of Provisions*

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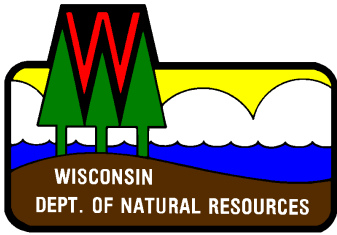
- NR 446.027 Procedures for determining annual mercury emissions.
- Effective January 1, 2005.
- Establishes procedures for significant non-major utility sources to determine their annual mercury emissions.



## *Overview of Provisions*

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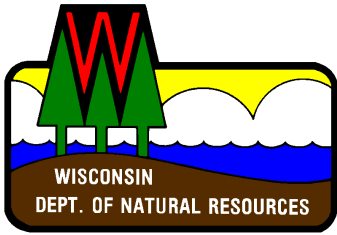
- NR 446.03 Baseline mercury emissions for major utilities.
- By October 1, 2005 - major utilities submit report for combustion units in operation in 2002, 2003, and 2004.
- Default baseline is arithmetic average of these three years.
- Alternative years can be requested.
- By January 1, 2007 - written notification from WDNR establishing baseline emissions.



## *Overview of Provisions*

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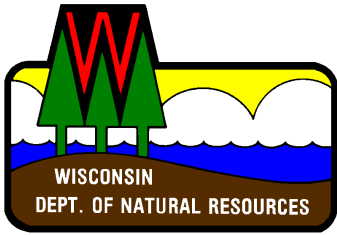
- NR 446.04 Procedures for determining baseline mercury emissions for major utilities.
- In calendar year 2004 collect representative solid fossil samples and analyze them for mercury content.
- Separate procedure for non-solid fossil fuel.
- Apply mercury fuel content determination to consumption records for 2002 - 2004.



## *Overview of Provisions*

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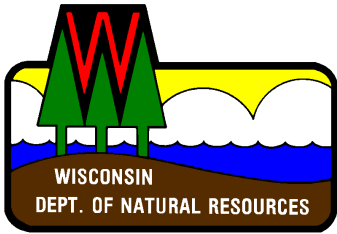
- NR 446.05 Mercury emission limits for new or modified sources.
- Effective one month after promulgation.
- BACT for new or modified sources with allowable mercury emissions of 10 pounds or more.
- Does not apply to new or modified sources affected by Section 112 of the CAA.



## *Overview of Provisions*

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- NR 446.06 Mercury emission limits for major utilities.
- January 1, 2008 - emission cap becomes effective. Cap is based on emission testing of combustion units performed before October 1, 2005.
- January 1, 2010 - 40% from baseline emissions.
- January 1, 2015 - 80% from baseline emissions.

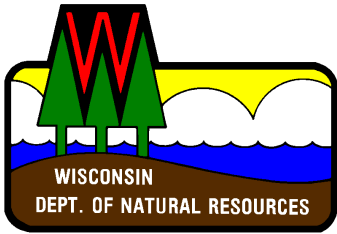


## *Overview of Provisions*

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- NR 446.07 Multi-pollutant reduction alternative.
- Request by October 1, 2007.
- Provides relief from 2010 reduction requirement if utility is pursuing a multi-pollutant reduction approach.
- Proposal must specify pollutants and reduction levels for the period 2010 - 2015.
- Public notice with public hearing opportunity.

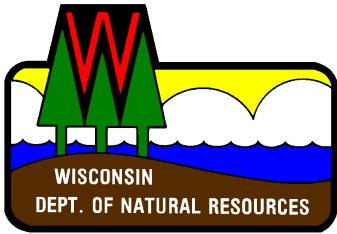




## *Overview of Provisions*

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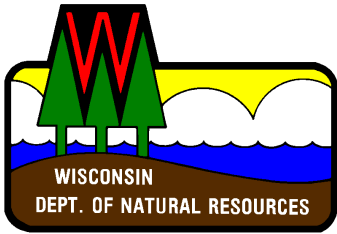
- NR 446.08 Compliance and reporting requirements for major utilities.
- Compliance plans required for each reduction requirement October 1, 2007, and October 1, 2011, respectively.
- System-wide compliance and trades between major utilities are allowed to achieve annual compliance.
- Compliance certification required every March 1st beginning in 2009 using the procedures in NR 446.09.
- In case of exceedance of an annual requirement true-up in the following year is allowed.



## *Overview of Provisions*

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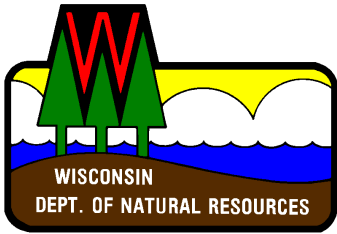
- NR 446.09 Annual mercury emissions determination and reporting.
- Specifies method for determining annual mercury emissions that includes fuel use, fuel mercury content and performance test results.
- Identifies acceptable testing and sampling methods.
- Establishes periodic emission testing schedule.



## *Overview of Provisions*

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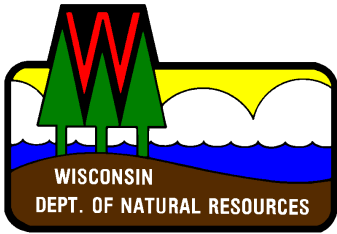
- NR 446.10 Variance for major utilities.
- Must be requested by the date compliance plans are due for each reduction requirement, October 1, 2007, or October 1, 2011, respectively.
- Alternative schedule and alternative reduction level may be requested.
- Granted based on showing of economic or technological infeasibility.
- Consultation with PSC.
- Public notice and public hearing opportunity.



## *Overview of Provisions*

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- NR 446.11 Electrical supply reliability waiver.
- Provides ability to obtain waiver from meeting an annual requirement based on electrical supply emergency, fuel supply disruption or other unavoidable event.
- Written request within 60 days of annual reporting deadline, March 1st.
- Consultation with PSC.
- Public notice and public hearing opportunity.



## *Overview of Provisions*

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- NR 446.12 Periodic evaluation and reconciliation reports.
- Reports to the NRB required by January 1, 2009, and January 1, 2013, that examine scientific and technological developments associated with mercury control.
- In addition, a report to the NRB is required within 6 months of federal law or regulation that contains mercury reduction requirements.
- Recommendations for rule revisions or other actions.